



**CITY COUNCIL
INCLUSIONARY HOUSING
STUDY SESSION**

SAN JOSÉ, CALIFORNIA

TUESDAY, DECEMBER 11, 2007

The Council of the City of San José convened in a Study Session at 7:04 p.m. in the Council Chambers at City Hall to present to the Council information about Inclusionary Zoning in advance of the City's study of a potential citywide policy and to obtain City Council direction on the process for community and public outreach and participation.

Present: Council Members - Campos, Chirco, Chu, Cortese, Liccardo, Oliverio, Nguyen, Pyle, Williams; Reed.

Absent: Council Members - Constant. (Excused)

Staff: City Manager Debra Figone, City Attorney Richard Doyle, Director of Housing Leslye Krutko, Assistant Director of Planning and Code Enforcement Laurel Prevetti, Deputy Executive Director of the Redevelopment Agency John Weis, Assistant City Clerk Barbara Conly and Legislative Secretary Ruth Krantz.

Documents Filed: (1) Memorandum from Director of Housing Leslye Krutko, dated November 30, 2007, recommending a special study session on inclusionary housing. (2) Memorandum from City Attorney Richard Doyle, dated December 5, 2007, in response to inquiries by the City Council relating to potential inclusionary housing requirements on new development in the City of San José. (3) Letter from James Zahradka II, Senior Attorney (Law Foundation of Silicon Valley) providing Letter of support and exhibits concerning inclusionary zoning legal issues.

Correspondence in support of city-wide inclusionary zoning: (1) Letter from Kerri Hamilton (Citizens for Environmental and Economic Justice). (2) Email from Gloria Leonard (AAUW San José). (3) Email from Shawna Reeves Nourzaie (Council on Aging Silicon Valley). (4) Letter from Jim Zito (District 8 Community Round Table). (5) Letter from Michael Rawson (California Affordable Housing law Project). (6) Letter from Ron Johnson (Affordable Housing Network). (7) Email from Sandy Perry (CHAM Deliverance Ministry). (8) Email from Phyllis Claassen. (9) Letter from Mike Flaughner

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Documents Filed (Cont'd.)

(Berryessa Citizens Advisory Council). (10) Letter from Rufus Wesley (Federation of Retired Union Members of Santa Clara County). (11) Letter from Anne Mack (Congress of California Seniors). (12) Letter from Jeff Hobson (Transportation and Land Use Coalition). (13) Collective letter from Greenbelt Alliance, Silicon Valley Leadership Group, Working Partnerships USA, People Acting in Community Together and the Law Foundation of Silicon Valley. (14) Letter from Father Jon Pedigo (PACT Leader, St. Julie Billiard Catholic Church) and Diana Wilkerson-Graham (PACT Leader, St. John Vianney Catholic Church). (15) Letter from Patrick J. McGrath (Bishop of San José). (16) Letter from Gregory Kepferle (Catholic Charities of Santa Clara County). (17) Letter from Melissa Hippard (Sierra Club). (18) Letter from Frank Teng. (19) Email from Mike Schrag. (20) Letter from Edward Moncrief (Neighborhood Housing Services Silicon Valley). (21) Letter from Christine Carr (Silicon Valley Bank). (22) Email from Leila Forouhi. (23) Email from David and Susan Russell. (24) Letter from Jennifer Simmons (Habitat for Humanity Silicon Valley). (25) Letter from Erwin Ordonez (former Housing Community Development Commissioner). (26) Letter from Luther Jackson (The Interfaith Council).

Opening Remarks

Director of Housing Leslye Krutko, Assistant Director of Planning and Code Enforcement Laurel Prevetti and Deputy Executive Director of the Redevelopment Agency John Weis provided the introduction and responded to Council questions.

Overview of Inclusionary Housing

David Rosen, DRA & Associates presented the overview.

Objectives and Scope of Work of the Public Process

David Rosen, DRA & Associates provided objectives and scope of work of the public process.

Legal Analysis of Inclusionary Housing/Presentation by the City Attorney's Office

City Attorney Doyle provided a legal analysis of Inclusionary Housing.

Panelist Presentations from the "On Common Ground" Report

Fran Wagstaff, Former Board of Directors member (Non-Profit Housing Association of Northern California) and Joseph Perkins, President and CEO (Home Builders Association of Northern California) addressed the Common Ground Report and offered recommendations for a comprehensive approach to inclusionary housing.

Director of Housing Leslye Krutko summarized the main points and suggested returning in six months with a recommendation.

David Rosen, DRA & Associates responded to Council questions and discussion followed.

Upon motion by Council Member Chirco, seconded by Council Member Liccardo and carried unanimously, the following recommendations were unanimously approved. (10-0-1. Absent: Constant.)

- (1) Adopt the public process as outlined in “Next Steps” of the Staff Report.**
- (2) Ensure that the public process accommodates a multi-lingual population with translation services provided.**
- (3) Limit the scope of the study to how an inclusionary zoning ordinance would work in San José as outlined in the Rules & Open Government Committee memorandum dated September 26, 2007.**
- (4) After the public process, formulate and forward a recommendation on inclusionary zoning to the Community and Economic Development and Neighborhood Services and Education Committees.**
- (5) Provide periodic updates to the Council via the Public Record.**

Public Comments

Members of the public offering support and additional input on this issue are as follows:

Saul Wachter (Affordable Housing Network), Father John Pedico (St. Julliard Parish), Gregory Kepferle (Catholic Charities), Timothy Fitzgerald, Mary Helen Barro (PACT), James Zahradka (Law Foundation of Silicon Valley), Bill Schworke (Habitat for Humanity), Shiloh Ballard (Silicon Valley Leadership Group), Michele Beasley (Greenbelt Alliance), Tom Fink (South Bay Labor Council), Don Gegliardi, Carol Bautista (PACT), Nancy Schell (PACT), Charlotte Cogstetter (PACT), Jody Hansen (San José Silicon Valley Chamber of Commerce), Jimmy Parrish (San José Silicon Valley Chamber of Commerce), Karita Hummer, Katherine Bock (Low Income Self-Help Center), Kerri Hamilton (BCAC/CEEJ), Sandy Perry (CHAM Deliverance Ministry) and Alofa Taliva (Sierra Neighborhood Association).

Those members of the public expressing reservations and concerns on this issue are as follows:

Beverly Bryant (Home Builders Association of Northern California), John Moniz (Pinn Brothers Fine Homes), Craig Champion (Centex Homes) and Mark Lazzarini (DAL Properties, LLC),

Additional Council discussion ensued. No actions taken.

Mayor Reed adjourned the meeting at 9:34 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

**LEE PRICE, MMC
CITY CLERK**

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